

*****TO BE SUBMITTED UNDER SEAL*****

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN O. MYERS,

Plaintiff,

— against —

HSBC INVESTMENTS (USA) INC.; HSBC NORTH
AMERICA HOLDINGS INC.; HSBC SECURITIES
(USA) INC.; HSBC FINANCE CORPORATION; and
HSBC HOLDINGS PLC,

Defendants.

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2007 Civ. 04078 (RJH) (GWG)

ECF CASE

NOTICE OF MOTION

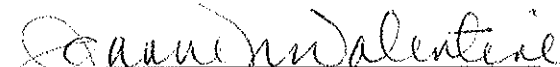
PLEASE TAKE NOTICE that, upon the annexed Affidavit of Blair C. Fensterstock, sworn to on April 24, 2008, and upon the exhibits attached thereto, the accompanying Memorandum of Law in support of this motion, and the pleadings herein, Plaintiff will move this Court, before the Honorable Gabriel W. Gorenstein, United States Magistrate Judge, for an Order pursuant to Rule 26(c)(1) of the Federal Rules of Civil Procedure for a Protective Order. Opposition Papers, if any, are due to be served on May 8, 2008, and Reply Papers, if any, are due to be served May 15, 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 24, 2008

FENSTERSTOCK & PARTNERS LLP

By:



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